



## Cache County School District

### Policy Series 3000: Students

#### Policy No. 3620

#### Authorization of Student Clubs and Organizations

The purpose of this policy is to provide guidance to schools on the authorization of student clubs, as outlined in State law and the Utah State Board of Education Administrative Rules.

The Cache County School District Board of Education believes that student clubs broaden students' educational experience. Clubs may aid students in developing lifelong skills and talents, demonstrating positive attitudes and integrity, teaching the value of fair and honest competition, and instilling self-esteem. For this reason, the Cache County Board of Education has determined to maintain a "limited open forum" for student clubs. A limited open forum is defined as:

- 1) A public high school creates a limited open forum whenever it allows at least one "non-curriculum-related" student club to meet on school property during non-instructional time (e.g., before school, during lunch, or after school).
- 2) Once a school permits one non-curricular club to meet, it opens the forum. Under federal law, the school cannot discriminate against any other student group based on the religious, political, philosophical, or ideological content of their speech.
- 3) Creating a limited open forum does not strip the district or school administrators of all control. Schools maintain the right to:
  - a) Prevent Material Disruption,
  - b) Maintain Safety and Order,
  - c) Opt Out or "Close the Forum" by banning all non-curriculum-related student clubs.

#### CCSD Club Categories

Clubs within the Cache County School District (CCSD) are categorized into three types based on their purpose, sponsorship, and relationship to the school district.

- 1) **Curricular Clubs.** These are student clubs whose activities and subject matter are directly and substantially related to the school's instructional program and curriculum. They are typically sponsored and supervised by a faculty member whose department aligns with the club's focus. Curricular clubs serve to enhance and extend classroom learning, providing students with practical application, competitive opportunities, or advanced study in a particular academic area. Examples: Future Business Leaders of America (FBLA), Robotics Team, etc.
- 2) **Non-Curricular Clubs.** These clubs may or may not be directly related to the subject matter taught in the curriculum, but are initiated and led by students. Under the Equal Access Act, if

a secondary school permits any non-curriculum student group to meet, it must provide equal access to all such groups during non-instructional time. They must be voluntary, student-initiated, and must not materially or substantially interfere with the orderly conduct of educational activities. The school's role is to ensure that these clubs operate safely and comply with all school rules, not to sponsor or promote the club's message. Examples may include: Student political/advocacy groups, religious or philosophical discussion groups, or general interest clubs (e.g., Chess Club, Gaming Club, Environmental Group) that do not directly tie to a specific course.

- 3) **Community Clubs (Feeder Programs, Support Groups, Community).** Community clubs are associated with schools by name only and operate under a formal agreement with the school administration (CCSD Name Use Agreement). These groups are typically organized and led by parents, community members, or non-student organizations that provide support, fundraising, and organize or promote activities, teams, or programs. While they are support entities, they are not student-led clubs; rather, they are extensions of external organizations that independently manage fees and finances, transportation, staffing, supervision, etc. Community Clubs are subject to Policy No. 7150 Community Support Groups and Policy No. 7200 Booster & Parent Groups. Examples may include: Booster clubs, NICA mountain biking teams, or feeder athletic programs.

### **District Liability**

Clubs will be reviewed to determine the safety of the activity pursued and the level of district liability. Clubs organized to pursue high-risk activities will not be sponsored by a school or the district. Clubs or organizations that are not recognized or covered by a school or the district are prohibited from using the name of the school, district, or school mascot/logo to describe, advertise, or in any way connect the organization to the school district. Organizations not sponsored by the district or school that wish to use district grounds, buildings, or equipment must comply with the district building rental policy.

### **Authorization of Clubs**

A school may authorize the following types of clubs by grade level, while there exists a limited open forum:

- 1) Grades K-5: only curricular clubs may be authorized.
- 2) Grades 6-8: only curricular clubs may be authorized.
- 3) Grades 9-12: curricular and non-curricular clubs are permissible.

All clubs require final approval by the Cache County School Board before being recognized.

### **Club Charter**

Students or school staff seeking authorization to establish a club shall prepare a club charter that identifies the club's name and purposes, the types of activities in which club members may

engage, and any limitations on club activities. Those limitations shall include prohibitions against:

- 1) Action or advocacy of imminent action that violates the law or administrative rule; this prohibition shall not apply to appropriate discussions concerning the changing of laws or rules or actions taken through appropriate channels or procedures to effectuate such changes;
- 2) Advocacy or approval of sexual activity outside of marriage, or presentations in violation of laws or regulations governing sex education or privacy rights of families or individuals;
- 3) Action or advocacy of imminent action involving the harassment or denigration of any person; or
- 4) Action or advocacy of imminent action with intent to cause a person to fear or to freely exercise or enjoy any right secured by the Constitution or law of the United States of the state of Utah.

A school may limit or deny a charter to a club if necessary to:

- 1) Protect the physical, emotional, psychological, or moral well-being of students and faculty;
- 2) Maintain order and discipline on school premises;
- 3) Prevent a material or substantial interference with the orderly conduct of a school's educational activities;
- 4) Protect the rights of parents or guardians and students; or
- 5) Maintain the boundaries of socially appropriate behavior.

A school shall deny access to any student organization or club whose program or activities will materially and substantially:

- 1) Encourage criminal or delinquent conduct;
- 2) Promote bigotry;
- 3) Involve human sexuality; or
- 4) Engage in or conduct mental health therapy, counseling, or psychological services for which a license would be required by state law.

Approval of a club name may take place separately from the approval of the club itself. A club name shall:

- Reasonably reflect the nature, purposes, and activities of the club; and
- Be such that it would not result in undue disruption of school operations, subject students to harassment or persecution, imply that the club would operate in violation of law or rule, or imply inappropriate association with outside organizations or groups.

## **Appeal**

A student, parent, or guardian directly affected by the denial of a club authorization at the school level may appeal in writing within ten (10) school days of the denial to the Cache County Board of Education. This Board shall issue an opinion in writing either upholding or overturning the

denial within forty-five (45) days of receiving the appeal. This decision shall be the final administrative decision.

### **Club Sponsor**

Selection and appointment of club sponsors, supervisors, and monitors shall be the responsibility of the school principal. A school may require those seeking authorization to establish a club to propose the name of a faculty member who is willing to serve as the faculty supervisor/monitor. The school principal may accept or reject a proposed faculty supervisor/monitor in his/her sole discretion. Persons who are not part of the school shall not direct, conduct, or control club meetings. The sponsor, supervisor, or monitor shall oversee club programs and activities to ensure compliance with the approved club charter and applicable laws and rules. The school principal may revoke the authorization of any club found to be operating in violation of the approved charter, laws, or rules.

### **Parental Consent**

A school shall require parental or guardian consent for student participation in all curricular and non-curricular clubs at the school. All completed parental consent forms shall be filed by the school's principal or their designee.

### **Access to Clubs**

The district maintains a limited open forum and ensures equal access for all non-curricular clubs during non-instructional time, in accordance with the Equal Access Act. Schools may limit access to clubs by persons who are not part of the school, including prohibiting outside persons from directing, conducting, controlling, or regularly attending club meetings. Outside persons may attend club meetings on rare occasions to make a presentation, provided the school administrator approves it in advance.

### **Funding for Clubs**

Public funds, including money raised through fundraising, may be used for co-curricular clubs that support or enhance a specific course, academic pathway, or instructional program. Public funds may not be used for non-curricular student-sponsored clubs.

### **Legal References:**

Equal Access Act, 20 U.S.C. §§ 4071-4074. Utah Admin. Code R277-617-3C. Utah Code 53G-7-707.

### **Synopsis:**

Approved by the Board of Education: July 1, 1989

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